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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH NATHANIEL JOHNSON,

Defendant.

Case No.: 2:15-mj-00620-VCF

Stipulation to Continue Preliminary Hearing
Date (First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel Bodgen, United States Attorney, Brandon C. Jarock, Assistant United States Attorney, counsel for the United States of America and William Carrico, AFPD, counsel for defendant JOSEPH NATHANIEL JOHNSON:

THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR August 11, 2015, at 4:00 p.m. before U.S. Magistrate Cam Ferenbach be vacated and set to a time convenient for the Court, but no earlier than 30 days from the current setting.

This stipulation is entered into for the following reasons:

1. The government is still in the process of gathering and evaluating the discovery including surveillance videos associated with the defendant's alleged crimes.
2. Counsel for the defendant and counsel for the government agree to the continuance.

3. The defendant is detained and agrees to the continuance.
4. Denial of this request for continuance could result in a miscarriage of justice.
5. The additional time requested by this Stipulation is excludable in computing the time from the filing of the criminal complaint through which the government must assert an criminal Information or seek an Indictment by the Grand Jury pursuant to the Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
6. This is the first request for a continuance.

Dated this 6th day of August, 2015.

Respectfully Submitted,

DANIEL G. BOGDEN
United States Attorney

/s/ Brandon C. Jaroch
BRANDON C. JAROCH
Assistant United States Attorney

/s/ William Carrico
WILLIAM CARRICO
Counsel for JOSEPH N. JOHNSON

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The period within which the government may assert an Information or seek an Indictment through the Grand Jury against the defendant is hereby extended from the date of the filing of the complaint up through and including September 10, 2015.
2. All parties agree to the continuance.
3. The defendants are detained and agree to the continuance.
4. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United

1 States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States
2 Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

3 5. This is the first request to continue the preliminary hearing.

4 For all of the above-stated reasons, the end of justice would best be served by a
5 continuance of the preliminary hearing.

6 ORDER

7 IT IS ORDERED that the preliminary hearing currently scheduled for August 11, 2015,
8 at 4:00 p.m. be vacated and continued to September 14, 2015, at the hour of
9 4:00 p.m.

10 DATED this 7th day of August 2015.

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13 UNITED STATES MAGISTRATE JUDGE
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